IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18251 of 2004

Between:

G. Rakesh, S/o Rajveer Arya,
R/o H.No. 11-22-63/1, Kasi Bugga, Warangal.

..... PETITIONER

AND

1 The State of A.P. Rep. by its Secretary,

School Education Department, Secretariat, Hyderabad.
2 The Commissioner, Directorate of School Education, Hyderabad.
3 The District Educational Officer, Warangal.
4 Rukmini Seetharama Rao Memorial Vidyalaya,

Govt. Aided Upper Primary School, Machili Bazaar,
Hanumakonda, rep. by its Special Officer

cum Deputy Inspector of Schools, Warangal West, Warangal.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ or order/direction more particularly one in nature of Writ of Mandamus in not regularizing the services of the petitioner as School Asst (Science) Gr. II in aided post in the 4th Respondent's School as illegal, arbitrary and against principles of natural justice and consequently direct the Respondents to regularize the services of the Petitioner as School Assistant (Science) Gr. II in aided post in 4th Respondent's school

Counsel for the Petitioner :MR.P.GIRI KRISHNA

Counsel for the Respondents: GP FOR EDUCATION

The Court at the stage of admission made the following ORDER:

The petitioner is working as a School Assistant in the 4th respondent-School from 1996. The fourth respondent through the proceedings dated 06-04-1998 absorbed the petitioner as School Assistant (Science) Grade II, grant-in-aid post in the existing vacancy. It is not known whether the fourth respondent sent any proposal to the third respondent for approval. The petitioner could not place any material to that effect. The Head master of the fourth respondent-School addressed a letter to the Deputy Inspector of Schools, Warangal, submitting the service ratification request application of the petitioner for approval and copy of the same was marked to the third respondent. The grievance of the petitioner is that though the fourth respondent sent the proposals to the third respondent for approval of his absorption as a grant-in-aid teacher, the third respondent did not approve it. Therefore, he approached this Court seeking to direct the respondents to regularize his services as a School Assistant (Science) Grade II, in the aided post of the 4th respondent-School.

In the light of the above facts and circumstances, the third respondent is directed to verify whether any proposal from the fourth respondent was previously received, if so, to pass appropriate orders on the said proposal regarding the absorption of the petitioner into an aided post. If there is no such proposal in the office, the said fact may be intimated to the fourth respondent. On receipt of such intimation, the fourth respondent is directed to submit the proposal regarding the absorption of the petitioner into an aided post, and on receipt of such fresh proposal, the third respondent is directed to pass appropriate orders, according to the existing rules.

The Writ Petition is accordingly disposed of.

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Dr. G. Yethirajulu,J.

Dt:11th October, 2004.

Rns.

To

1 The Secretary,

State of A.P. School Education Department,

Secretariat, Hyderabad.

2 The Commissioner, Directorate of School Education,

Hyderabad.

3 The District Educational Officer, Warangal.

4 The Special Officer cum Deputy Inspector of Schools,

Rukmini Seetharama Rao Memorial Vidyalaya,

Govt. Aided Upper Primary School, Machili Bazaar,
Hanumakonda, Warangal West, Warangal.

5. Two CCs to G.P.for Education, High Court of Andhra Pradesh,

Hyderabad.(OUT),

6. Two CD copies.